

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.) Case No. 4:16CR00219 JAR
)
HURLEY WALLACE,)
)
Defendant.)

MEMORANDUM AND ORDER

This matter is before the Court on the Report and Recommendation and Order of United States Magistrate Judge Shirley P. Mensah (ECF No. 47). On October 14, 2016, Defendant Wallace filed a Motion to Suppress an Out of Court Identification (ECF No. 36) and a Motion to Produce the True Identity of a Confidential Source and Alleged Victim and Witnesses (ECF No. 37). Magistrate Judge Mensah recommends the Court deny both of Defendant's Motions, and further recommends that the Court deny as moot the Government's Motion for Pretrial Determination of the Admissibility of Statements (Doc. No. 12).

Pursuant to 28 U.S.C. § 636(b), these matters were referred to United States Magistrate Judge Shirley P. Mensah, who filed a Report and Recommendation on November 18, 2016 (ECF No. 47). Defendant Wallace filed objections to the Report and Recommendation on December 2, 2016 (ECF No. 48). Defendant Wallace summarily states that he objects to several conclusions drawn by Magistrate Judge Mensah, but fails to provide any countervailing rationale for his position. The Court finds that the Magistrate Judge's conclusions are supported by the evidence, and Defendant Wallace's objections are not persuasive.

The Magistrate Judge recommends that the Motion to Suppress an Out of Court Identification (ECF No. 36) and the Motion to Produce the True Identity of a Confidential Source

and Alleged Victim and Witnesses (ECF No. 37) be denied. After de novo review of this matter, this Court adopts the Magistrate Judge's recommendation.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of the United States Magistrate Judge [47] is **SUSTAINED, ADOPTED, AND INCORPORATED** herein.

IT IS FURTHER ORDERED that the Motion to Suppress an Out of Court Identification (ECF No. 36) is **DENIED**.

IT IS FURTHER ORDERED that the Motion to Produce the True Identity of a Confidential Source and Alleged Victim and Witnesses (ECF No. 37) is **DENIED**.

IT IS FURTHER ORDERED that the Government's Motion for the Pretrial Determination of the Admissibility of Statements (Doc. No. 12) is **DENIED as moot**.

IT IS FURTHER ORDERED that this case remains scheduled for trial on **January 17, 2017 at 9:00 a.m.**

Dated this 21st day of December, 2016.



John A. Ross
JOHN A. ROSS
UNITED STATES DISTRICT JUDGE